

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

301 State House  
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**FISCAL IMPACT STATEMENT**

**LS 6572**

**BILL NUMBER: HB 2145**

**DATE PREPARED: Mar 1, 2001**

**BILL AMENDED: Feb 27, 2001**

**SUBJECT: Sex and Violent Offender Registry.**

**FISCAL ANALYST: Mark Goodpaster**

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**FUNDS AFFECTED: X GENERAL  
DEDICATED  
FEDERAL**

**IMPACT: State & Local**

**Summary of Legislation:** (Amended) This bill eliminates various dates that limit who must register in the sex and violent offender registry. It expands the registration requirement to include sex and violent crime offenders who are: (1) nonresidents who work or go to school in Indiana; (2) convicted of an attempt or a conspiracy to commit a sex and violent offense; or (3) convicted by a jurisdiction other than a state. It requires certain offenders to register for life. It requires an official to give both oral and written notices to an offender who is required to register under the sex and violent offender registration law. It requires probation officers and officials at facilities not operated for the Department of Correction to give notices under certain circumstances. It requires the Criminal Justice Institute to approve or prescribe registration forms and to provide information and training about the registration system. It authorizes the Governor to enter into compacts with other jurisdictions to exchange information concerning the relocation of sex and violent offenders. It adds persons who have been convicted of sexual misconduct with a minor as a Class C felony to be required to register with the sex and violent offender registry. It also requires the registry to include information on the county of the conviction, and the cause number of the conviction.

**Effective Date:** (Amended) Upon passage; July 1, 2001.

**Explanation of State Expenditures:** (Revised) This bill would expand the number of offenders who would be required to register in the Sex and Violent Offender Registry by including offenders who were convicted and sentenced for an attempt of conspiracy to commit one of the following crimes after June 30, 1994, of:

- (1) rape (IC 35-42-4-1);
- (2) criminal deviate conduct (IC 35-42-4-2);
- (3) child molesting (IC 35-42-4-3);
- (4) child exploitation (IC 35-42-4-4(b));
- (5) vicarious sexual gratification (IC 35-42-4-5);
- (6) child solicitation (IC 35-42-4-6);
- (7) child seduction (IC 35-42-4-7);

- (8) sexual misconduct with a minor as a Class A or Class B felony (IC 35-42-4-9);
  - (9) incest (IC 35-46-1-3);
  - (10) sexual battery (IC 35-42-4-8);
- and after June 30, 1998, of:
- (1) kidnaping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age; or
  - (2) criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age;

The Criminal Justice Institute may need to hire an additional part-time clerical person to assist in the data entry for the additional offenders who would be required to register. The funds and resources required above could be supplied through a variety of sources, including the following: (1) Existing staff and resources not currently being used to capacity; (2) Existing staff and resources currently being used in another program; (3) Authorized, but vacant, staff positions, including those positions that would need to be reclassified; (4) Funds that, otherwise, would be reverted; or (5) New appropriations. Ultimately, the source of funds and resources required to satisfy the requirements of this bill will depend upon legislative and administrative actions.

As of February 2001, there were 11,500 names of offenders in the Sex and Violent Offenders Registry.

The number of offenders who were sentenced to the Department of Correction for sexual misconduct with a minor as a Class C felony between FY 1996 and 2000 are shown below:

<u>1996</u>	<u>1997</u>	<u>1998</u>	<u>1999</u>	<u>2000</u>
31	59	37	73	87

In addition, 108 offenders were incarcerated in DOC facilities for sexual misconduct with a minor as a Class C felony as of January 2, 2001.

**Explanation of State Revenues:**

**Explanation of Local Expenditures:**

**Explanation of Local Revenues:**

**State Agencies Affected:** Criminal Justice Institute.

**Local Agencies Affected:** Probation departments, Local law enforcement agencies.

**Information Sources:** Catherine O'Connor, Criminal Justice Institute.